

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 12073

MOLLIE SAWYER

Appellant

v.

ROBERT T. STEVENS, Secretary
of the Army, et al.

Appellees

APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Decided November 10, 1954

Mr. Claude Dawson for appellant.

Mr. Benjamin Forman, Attorney, Department of Justice, of the bar of the Supreme Court of Massachusetts, pro hac vice, by special leave of Court, with whom Messrs. Leo A. Rover, United States Attorney, and Paul A. Sweeney, Attorney, Department of Justice, were on the brief, for appellees. Messrs. Lewis A. Carroll, Assistant United States Attorney, and Julian H. Singman, Attorney, Department of Justice, also entered appearances for appellees.

Before EDGERTON, FAHY and DANAHER, Circuit Judges.

PER CURIAM: Appellant filed suit in the District Court for a declaratory judgment that her separation from Government employment was illegal. Because of disability she had been involuntarily retired from her position on an annuity, under procedures set forth in the Civil Service Retirement Act,¹ and regulations of the Civil Service Commission, 5 CFR §§ 29.1 et seq. (1949).

Answer to the complaint was filed by the appropriate Government officials, followed in due course by a hearing in the District Court. The court made findings of fact and entered conclusions of law, upon the basis of which judgment was entered dismissing the complaint. Among the conclusions of law was one that the action was barred by laches, which had been specially pleaded.

The appeal presents no basis for reversing the judgment of the District Court and it accordingly is

Affirmed.

¹ 41 Stat. 614 et seq., as amended, 46 Stat. 472, as amended, 5 U.S.C. § 710 (1952).